

SPECIAL MEETING  
September 27, 2010

The Special Meeting of the Annapolis City Council was held on September 27, 2010 in the Council Chamber. Mayor Cohen called the meeting to order at 7:16 p.m.

Present on Roll Call: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer, Arnett

Staff Present: City Attorney Hardwick, Planning and Zoning Director Arason, City Manager Mallinoff, Human Resources Director Milburn, Director of Services Smith, Grants Coordinator Farrow

HONORARY MAYORAL CITATION

Citizen Service Citation

- Mayor Cohen presented to Charles M. Grayston, 1305 Van Buren Drive, Annapolis, MD 21403 and resident of Ward 6 the Mayoral Citation in recognition of his 24 years of service as a member of the Alcoholic Beverage Control Board.

Annapolis Middle School Dance Company

- Mayor Cohen presented to Kendra Smith, Director of the Annapolis Middle School Dancers the Mayoral Citation in recognition of the Dance Company being selected to perform at half time during the Orange Bowl in Miami Florida.

PETITIONS, REPORTS AND COMMUNICATIONS

Comments by the General Public

Sveinn C. Storm, 130 Dock Street, Annapolis, Maryland 21401 spoke on Downtown Festivals

PRESENTATIONS

Confirmation of City Manager

Acting City Manager Mallinoff was present and answered questions from Council.

- Alderwoman Finlayson moved to confirm the Mayor's appointment of Michael Mallinoff as City Manager. Seconded. CARRIED on voice vote.

The order of the agenda was amended to allow for Business and Miscellaneous item # 2.

BUSINESS AND MISCELLANEOUS

Human Resources Director Milburn was present and answered questions from Council.

**2. Approval requested for the Amended Annapolis Transit Drug and Alcohol Testing Policy**

- Alderman Arnett moved to postpone the Amended Annapolis Transit Drug and Alcohol Testing Policy until the Regular Meeting on October 11, 2010. Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

PUBLIC HEARINGS

- O-19-10**                    **Technical Corrections to Zoning Code - For the purpose of correcting references in Chapters 21.14 and 21.18 governing demolition permit application procedure and permitted administrative adjustments.**

Planning and Zoning Director Arason gave a brief presentation on the ordinance.

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 9/2/10, and Memoranda from Jon Arason, Director, to the Planning Commission dated 7/7/10.
- Mayor Cohen declared the public hearing closed.

The public hearings on O-27-10 and R-25-10 will be held jointly.

- O-27-10**                    **For the purpose of creating a Class D tavern liquor license that permits on-premises wine tasting.**

&

- R-25-10**                    **For the purpose of establishing a fee for a Class D liquor license.**

Spoke on the ordinance and resolution:

Charles M. Grayston, 1305 Van Buren Drive, Annapolis, MD 21403

Spoke in favor of the ordinance and resolution:

Jerome I. Feldman, 900 Bestgate Road, Suite 200, Annapolis, Maryland 21401 representing Wine Cellars of Annapolis

No one else from the general public spoke in favor of or in opposition to the ordinance and resolution.

- Mayor Cohen declared the public hearings closed.

LEGISLATION

ORDINANCES & RESOLUTIONS – 2<sup>ND</sup> READING

- O-25-10**                    **For the purpose of establishing a Bond Fund.**

City Manager Mallinoff was present and answered questions from Council.

- Alderman Israel moved to adopt O-25-10 on second reading. Seconded.

The Rules and City Government and the Finance Committees reported favorably with amendments on O-25-10.

- Alderman Israel moved to amend O-25-10 as follows:

On page 1, in line 33, add the following:

C. For purposes of this section tangible personal property, including but not limited to motor vehicles, is not considered a capital asset. Seconded. CARRIED on voice vote.

- Alderman Arnett moved to amend O-25-10 as follows:

On page 1, in line 32, delete “.” add “or to invest in other capital assets.”  
Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Israel moved to adopt O-25-10 amended on third reading.  
Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Israel, Paone, Alderwomen Hoyle, Finlayson,  
Silverman, Kirby, Pfeiffer, Arnett

NAYS:

CARRIED: 9/0

#### ORDINANCES & RESOLUTIONS – 1<sup>ST</sup> READING

**O-32-10 1<sup>st</sup> R. Repeal of the Alcoholic Beverage Prohibition at the Market House - For the purpose of repealing the prohibition on the consumption, possession and sale of alcoholic beverages in the Market House.**

Referred to the Economic Matters Committee and the Alcoholic Beverage Control Board

**R-28-10 For the purpose of honoring the late Rev. Leroy Bowman for his 61 years of service to the City of Annapolis as the Dean of the African American Clergy, as the longest serving Pastor of First Baptist Church of the City of Annapolis, and as a thunderous advocate for civil rights and racial equality in the City of Annapolis; and for the purpose of resolving that a suitable plaque should be installed on the site formerly called Bowman Court in the community of Annapolis Gardens, in the City of Annapolis, at the expense of Landex Corporation.**

Director of Services Smith was present and answered questions from Council.

There being no voiced objection, the rules were suspended to allow passage of the resolution at the meeting of its introduction.

- Alderman Paone moved to adopt R-28-10 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Israel, Paone, Alderwomen Hoyle, Finlayson,  
Silverman, Kirby, Pfeiffer, Arnett

NAYS:

CARRIED: 9/0

**R-29-10 For the purpose of expressing support for and approval of the program and operation costs of the new Light House, a Homeless Prevention and Support Center located at 10 Hudson Street, Annapolis, owned and operated by Annapolis Area Ministries, Inc., a non-profit organization.**

Grants Coordinator Farrow was present and answered questions from Council.

There being no voiced objection, the rules were suspended to allow passage of the resolution at the meeting of its introduction.

- Alderman Paone moved to adopt R-29-10 on second reading. Seconded.
- Alderman Arnett moved to amend R-29-10 as follows:

On page 1, in line 31, after the word “of” delete “light” and insert “the project and an allocation of the tax credits for business entities and individuals” Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Israel, Paone, Alderwomen Hoyle, Finlayson, Kirby, Pfeiffer, Arnett

NAYS:

CARRIED: 8/0

- Alderman Silverman was out of the chambers during the vote.

**BUSINESS AND MISCELLANEOUS**

**1. Appointments**

- Alderman Arnett moved to approve the Mayor’s appointments of the following individuals:

9/27/10 Maritime Advisory Board.....Christopher F. Buchheister  
 9/27/10 Art in Public Places Commission .....Terrance T. Averill  
 9/27/10 Art in Public Places Commission.....David Arthur  
 9/27/10 Civil Service Board.....Sherry M. Yaniga  
 9/27/10 Environmental Commission.....Daniel B. Haas  
 9/27/10 Historic Preservation Commission.....Patricia L. Zeno  
 9/27/10 Historic Preservation Commission.....David Gallitano  
 9/27/10 Historic Preservation Commission.....Kim I. Finch  
 9/27/10 Parking Advisory Commission.....Chance Walgran  
 9/27/10 Parking Advisory Commission.....Matt Evans  
 9/27/10 Parking Advisory Commission.....Jim White  
 9/27/10 Parking Advisory Commission.....Jennifer West Miser  
 9/27/10 Parking Advisory Commission.....Carl Larkin  
 9/27/10 Parking Advisory Commission.....Beth Dolezal  
 9/27/10 Parking Advisory Commission.....Michelle Deckman  
 9/27/10 Parking Advisory Commission.....Ann Widener  
 9/27/10 Parking Advisory Commission.....Kathleen Dulisse  
 Seconded. CARRIED on voice vote.

- Alderman Arnett moved to approve the Mayor’s appointment of the following individual:

9/27/10 Alcoholic Beverage Control Board.....Sean M. O’Neill.  
Seconded. CARRIED on voice vote.

**LEGISLATION EXPIRED BY OPERATION OF LAW  
(CITY CODE § 2.16.090D)**

O-15-10 Markethouse Operation and Policy

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:18 p.m.

Regina C. Watkins-Eldridge, MMC  
City Clerk